IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Board of Patent Appeals and Interferences

In re Patent Application of

SHIMIZU

Serial No. 10/763,159

Filed: January 26, 2004

Atty Dkt. JSP-723-1464

M#

Confirmation No. 6751

TC/A.U.: 3714

Examiner: M. Thomasson

Date: February 5, 2009

Title: GAME APPARATUS, GAME SYSTEM, AND STORING MEDIUM STORING GAME PROGRAM IN WHICH DISPLAY IS DIVIDED BETWEEN PLAYERS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

☐ **Correspondence Address Indication Form Attached.**

☐ **NOTICE OF APPEAL**
Applicant hereby **appeals** to the Board of Patent Appeals and Interferences
from the last decision of the Examiner twice/finally rejecting $540.00 (1401)/$0.00 (2401) $
applicant's claim(s).

☒ An appeal **BRIEF** is attached in the pending appeal of the
above-identified application $540.00 (1402)/$0.00 (2402) $ 540.00

☐ Credit for fees paid in prior appeal without decision on merits   -$ (   )

☐ A reply brief is attached.   **(no fee)**

☐ Pre-Appeal Brief Request for Review form attached.

☐ Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s)   One Month Extension $130.00 (1251)/$0.00 (2251)
                                 Two Month Extensions $490.00 (1252)/$0.00 (2252)
                                 Three Month Extensions $1110.00 (1253/$0.00 (2253)
                                 Four Month Extensions $1730.00 (1254/$0.00 (2254) $

☐ "Small entity" statement attached.

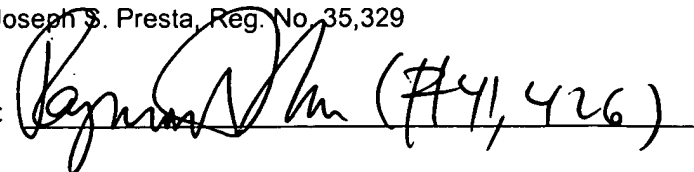Less   month extension previously paid on   -$(   )

TOTAL FEE ENCLOSED $ 540.00

☒ CREDIT CARD PAYMENT FORM ATTACHED.

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any <u>deficiency</u>, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140.**

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Signature:

1434960

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Patent Application of

SHIMIZU   Atty. Ref.: 723-1464

Serial No. 10/763,159   TC/A.U.: 3714

Filed: January 26, 2004   Examiner: T. Lammie

For: GAME APPARATUS, GAME SYSTEM, AND STORING MEDIUM

STORING GAME PROGRAM IN WHICH DISPLAY IS DIVIDED

BETWEEN PLAYERS

* *

February 5, 2009

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF

Sir:

Appellant hereby **appeals** to the Board of Patent Appeals and Interferences from

the last decision of the Examiner.

TABLE OF CONTENTS

(I)   **REAL PARTY IN INTEREST**

The real party in interest is Nintendo Co., Ltd., a corporation of the country of

Japan.

1434527

(II)   <u>RELATED APPEALS AND INTERFERENCES</u>

The appellant, the undersigned, and the assignee are not aware of any related appeals, interferences, or judicial proceedings (past or present), which will directly affect or be directly affected by or have a bearing on the Board's decision in this appeal.

(III) STATUS OF CLAIMS

Claims 1-15 are pending and have been rejected. No claims have been substantively allowed. The rejection of claims 1-15 is being appealed.

1434527

(IV) STATUS OF AMENDMENTS

No amendments have been filed since the date of the Final Rejection.

(V)   SUMMARY OF CLAIMED SUBJECT MATTER

A listing of each independent claim, each dependent claim argued separately and each claim having means plus function language is provided below including exemplary reference(s) to page and line number(s) of the specification.

Claim 1. A game apparatus (e.g., 12 in Figs. 1 and 2) used in association with a display (e.g., 34 in Fig. 1), wherein a plurality of players participate and play a game on a display screen (e.g., Figs. 4-9) displayed on said display, said game apparatus comprising (e.g., p. 18, line 13 to p. 24, line 6):

one or more game program storage areas for storing a game program (e.g., 66 in Fig 3; p. 24, lines 7-11);

an operating member operated by the player (e.g., 22 and 26 in Fig. 1; p. 19-23);

number-of-players detection programmed logic circuitry for detecting the number of players who participate in the game (e.g. 80 in Fig. 3; step S5 in Fig. 10; step S45 in Fig. 17; p. 24, lines 14-19; p. 33, lines 1-3);

screen partitioning programmed logic circuitry for partitioning a display area included in said display screen by the number of the participating players, and forming a plurality of divided areas (e.g., 82 in Fig. 3; step S11 in Fig. 10; step S53 in Fig. 17; p. 24, lines 14-19; p. 33, lines 7-13);

game image generating programmed logic circuitry for generating game images in each of said divided areas allotted to each player based on said game program and an operation from said operating member (e.g., 88 in Fig. 3; step S13 in Fig. 10; step S25 in

1434527

Fig. 11; step S55 in Fig. 17; step S67 in Fig. 18; p. 24, lines 14-19; p. 33, lines 14-22; p. 34, lines 13-20; p. 38, lines 17-22; p. 39, lines 14-20);

evaluating value setting programmed logic circuitry for setting an evaluating value of each player based on how well each player is doing in the game relative to the other players (e.g., 84 in Fig. 3; steps S17-S19 in Fig. 11; steps S59-S61 in Fig. 18; p. 24, lines 14-19; p. 33, line 23 to p. 34, line 3; p. 38, line 23 to p. 39, line 3); and

size changing programmed logic circuitry for changing a size of said divided areas allotted to each player based on said evaluating value (e.g., 86 in Fig. 3; steps S21-S23 in Fig. 11; steps S63-65 in Fig. 18; p. 24, lines 14-19; p. 34, lines 4-12; p. 39, lines 4-13).

Claim 3. A game apparatus according to claim 1, further comprising

display area rendering programmed logic circuitry for rendering a circular display area within said display screen (e.g., Figs. 13-16; 78 in Fig. 3; step S51 in Fig. 17; p. 4, line 21 to p. 5, line 8; p. 38, lines 11-16); wherein

said screen partitioning programmed logic circuitry equally divides said circular display area rendered by said display area rendering programmed logic circuitry by said number of the participating players in such a manner that each divided area is rendered by an angle that passes the center thereof (e.g., Fig. 13; step S53 in Fig. 17; p. 4, line 21 to p. 5, line 8; p. 38, lines 11-16),

said size changing programmed logic circuitry changes a center angle of said divided areas of each player (e.g., Figs. 14-16; steps S63-S65 in Fig. 17; p. 4, line 21 to p. 5, line 8; p. 39, lines 4-13).

Claim 6. A game apparatus according to claim 1, further comprising

end determining programmed logic circuitry for determining whether or not there

is a player who ends the game out of the participating players (e.g., 90 in Fig. 3; step S73

in Fig. 18; p. 5, line 17 to p. 6, line 3; p. 24, lines 12-19; p. 40, lines 3-7, p. 41, lines 3-8);

wherein

said size changing programmed logic circuitry re-divides said display area by the

number of the remaining players when determined by said end determining programmed

logic circuitry that there is the player who ends the game, and determines a size of re-

divided areas based on the evaluating value of the remaining players (e.g., steps S75-S77

in Fig. 18; p. 5, line 17 to p. 6, line 3; p. 40, line 3 to p. 41, line 2).

Claim 7. A game system (e.g., 10 in Fig 20; Fig. 21) in which a plurality of

players participate and play a game (e.g., 134 in Fig 22), and having a video game

machine (e.g., 12 in Fig. 20) connected to a common display (e.g., 34 in Fig. 20) and a

plurality of hand-held game machines (e.g., 108 in Figs. 20-21) including a separate

display (e.g., 114 in Figs. 20-21) connected to said video game machine, said game

system comprising (e.g., p. 43, line 21 to p. 49, line 9):

an exchanging portion for exchanging data between said video game machine and

said hand-held game machine (e.g., 92 and 94 in Fig. 3; 144 and 146 in Fig. 22; steps

S91, S95, and S97 in Fig. 24; steps S111, S113, and S117 in Fig. 125; p. 24, lines 12-19;

p. 50, line 11 to p. 51, line 8); and

an evaluating value setter for setting an evaluating value of each player based on how well each player is doing in the game relative to the other players (e.g., 84 in Fig. 3; steps S17-S19 in Fig. 11; steps S59-S61 in Fig. 18; p. 24, lines 14-19; p. 33, line 23 to p. 34, line 3; p. 38, line 23 to p. 39, line 3); wherein

said hand-held game machine (e.g., 108 in Figs. 20-21), includes:

at least one first game-program storage area for storing a program for a player's own hand-held game (e.g., WRAM 126 or ROM 130 in Fig. 21; p. 46, line 21 to p. 47, line 19);

an operating member operated by the player (e.g., 116; p. 44, line 17 to p. 45, line 6);

first game-image generating programmed logic circuitry for generating a separate game image to be displayed on said separate display based on said program for a player's own hand-held game or an operation from said operating unit (e.g., 142 in Fig. 22; steps S107, S115, and S119 in Fig. 25; Fig. 23(A); p. 47, line 20 to p. 48, line 1; p. 51, lines 20-24; p. 52, lines 5-19); and

said video game machine (e.g., 12 in Fig. 20), includes :

at least one second game-program storage area for storing an operating program for the video game machine and a program for an interlocking game (e.g., 40 or 18 in Fig. in Fig. 2; p. 21, lines 4-7; p. 18, lines 20-23);

number-of-players detecting programmed logic circuitry for detecting the number of players who participate in the game (e.g. 80 in Fig. 3; step S5 in Fig. 10; step S45 in Fig. 17; p. 24, lines 14-19; p. 33, lines 1-3);

1434527

screen partitioning programmed logic circuitry for partitioning a display

area included in a common screen to be displayed on said common display in

correspondence with the number of the participating players, and forming a plurality of

divided areas (e.g., 82 in Fig. 3; step S11 in Fig. 10; step S53 in Fig. 17; p. 24, lines 14-

19; p. 33, lines 7-13);

second game-image generating programmed logic circuitry for generating

game images in each of said divided areas allotted to each player based on the program

stored in said second game-program storage area or an operation from said operating

member received by said exchanging portion (e.g., 88 in Fig. 3; step S13 in Fig. 10; step

S25 in Fig. 11; step S55 in Fig. 17; step S67 in Fig. 18; step S93 in Fig. 24; p. 24, lines

14-19; p. 33, lines 14-22; p. 34, lines 13-20; p. 38, lines 17-22; p. 39, lines 14-20; p. 50,

lines 14-24); and

size changing programmed logic circuitry for changing a size of said

divided areas allotted to each player based on said evaluating value set by said evaluating

value setter (e.g., 86 in Fig. 3; steps S21-S23 in Fig. 11; steps S63-65 in Fig. 18; step S93

in Fig. 24; p. 24, lines 14-19; p. 34, lines 4-12; p. 39, lines 4-131; p. 50, lines 14-24).

Claim 9. A game apparatus (e.g., 12 in Figs. 1 and 2) for use with a display (e.g.,

34 in Fig. 1), and in which a plurality of players participate and play a game on a display

screen (e.g., Figs. 4-9) displayed on said display, said game apparatus comprising (e.g., p.

18, line 13 to p. 24, line 6):

1434527

at least a first game program storage for storing a game program (e.g., 66 in Fig 3; p. 24, lines 7-11);

an operating member operated by the player (e.g., 22 and 26 in Fig. 1; p. 19-23);

number-of-players detecting programmed logic circuitry for detecting the number of players who participate in the game (e.g. 80 in Fig. 3; step S5 in Fig. 10; step S45 in Fig. 17; p. 24, lines 14-19; p. 33, lines 1-3);

screen partitioning programmed logic circuitry for partitioning a display area included in said display screen by the number of the participating players, and forming a plurality of divided areas (e.g., 82 in Fig. 3; step S11 in Fig. 10; step S53 in Fig. 17; p. 24, lines 14-19; p. 33, lines 7-13);

game image generating programmed logic circuitry for generating game images in each of said divided areas allotted to each player based on said game program and an operation from said operating member (e.g., 88 in Fig. 3; step S13 in Fig. 10; step S25 in Fig. 11; step S55 in Fig. 17; step S67 in Fig. 18; p. 24, lines 14-19; p. 33, lines 14-22; p. 34, lines 13-20; p. 38, lines 17-22; p. 39, lines 14-20);

end determining programmed logic circuitry for determining whether or not there is a player who ends the game out of the participating players (e.g., 90 in Fig. 3; step S73 in Fig. 18; p. 5, line 17 to p. 6, line 3; p. 24, lines 12-19; p. 40, lines 3-7, p. 41, lines 3-8); and

re-partitioning programmed logic circuitry for re-partitioning said display area by the number of the remaining players when determined by said end determining programmed logic circuitry that there is the player who ends the game, and allotting the

re-divided areas to the remaining players in accordance with how the remaining players are performing in the game relative to one another (e.g., steps S75-S77 in Fig. 18; p. 5, line 17 to p. 6, line 3; p. 40, line 3 to p. 41, line 2).

Claim 10. A game system (e.g., 10 in Fig 20; Fig. 21) in which a plurality of players participate and play a game (e.g., 134 in Fig 22), and having a video game machine (e.g., 12 in Fig. 20) connected to a common display (e.g., 34 in Fig. 20) and a plurality of hand-held game machines (e.g., 108 in Figs. 20-21) including a separate display (e.g., 114 in Figs. 20-21) connected to said video game machine, said game machine comprising (e.g., p. 43, line 21 to p. 49, line 9):

exchanging programmed logic circuitry for exchanging data between said video game machine and said hand-held game machine (e.g., 92 and 94 in Fig. 3; 144 and 146 in Fig. 22; steps S91, S95, and S97 in Fig. 24; steps S111, S113, and S117 in Fig. 125; p. 24, lines 12-19; p. 50, line 11 to p. 51, line 8); wherein

said hand-held game machine (e.g., 108 in Figs. 20-21), includes:

at least a first game-program storage area for storing a program for a player's own hand-held game (e.g., WRAM 126 or ROM 130 in Fig. 21; p. 46, line 21 to p. 47, line 19);

an operating member operated by the player (e.g., 116; p. 44, line 17 to p. 45, line 6);

first game-image generating programmed logic circuitry for generating a separate game image to be displayed on said separate display based on said program for a

player's own hand-held game or an operation from said operating member (e.g., 142 in

Fig. 22; steps S107, S115, and S119 in Fig. 25; Fig. 23(A); p. 47, line 20 to p. 48, line 1;

p. 51, lines 20-24; p. 52, lines 5-19); and

said video game machine (e.g., 12 in Fig. 20), includes:

at least a second game-program storage area for storing an operating

program for the video game machine and a program for an interlocking game (e.g., 40 or

18 in Fig. in Fig. 2; p. 21, lines 4-7; p. 18, lines 20-23);

number-of-players detecting programmed logic circuitry for detecting the

number of players who participate in the game (e.g. 80 in Fig. 3; step S5 in Fig. 10; step

S45 in Fig. 17; p. 24, lines 14-19; p. 33, lines 1-3);

screen partitioning programmed logic circuitry for partitioning the display

area included in a common screen to be displayed on said common display in

correspondence with the number of the participating players, and forming a plurality of

divided areas (e.g., 82 in Fig. 3; step S11 in Fig. 10; step S53 in Fig. 17; p. 24, lines 14-

19; p. 33, lines 7-13);

second game-image generating programmed logic circuitry for generating

game images in each of said divided areas allotted to each player based on the program

stored in said second game-program storage area or an operation from said operating

member received by said exchanging portion (e.g., 88 in Fig. 3; step S13 in Fig. 10; step

S25 in Fig. 11; step S55 in Fig. 17; step S67 in Fig. 18; step S93 in Fig. 24; p. 24, lines

14-19; p. 33, lines 14-22; p. 34, lines 13-20; p. 38, lines 17-22; p. 39, lines 14-20; p. 50,

lines 14-24);

end determining programmed logic circuitry for determining whether or not there is a player who ends the game out of the participating players (e.g., 90 in Fig. 3; step S73 in Fig. 18; p. 5, line 17 to p. 6, line 3; p. 24, lines 12-19; p. 40, lines 3-7, p. 41, lines 3-8); and

re-partitioning programmed logic circuitry for re-partitioning said display area by the number of the remaining players when determined by said determining portion that there is the player who ends the game, and allotting the re-divided areas to the remaining players in accordance with how the remaining players are performing in the game relative to one another (e.g., steps S75-S77 in Fig. 18; p. 5, line 17 to p. 6, line 3; p. 40, line 3 to p. 41, line 2).

Claim 11. A computer readable storage medium (e.g., Fig. 3) that stores an executable game program (e.g., 66 in Fig 3; p. 24, lines 7-11) for changing a plurality of divided areas on a display screen (e.g., Figs. 4-9) in a game apparatus (e.g., 12 in Figs. 1 and 2) that is provided to be associated with said display (e.g., 34 in Fig. 1), and a plurality of players participate in a game and operate an operating member so as to play the game on said display screen displayed on said display (e.g., 22 and 26 in Fig. 1; p. 19-23), said game program allows a computer of said game apparatus to execute the steps of (e.g., p. 11, line 23 to p. 12, line 13; p. 18, line 13 to p. 24, line 6):

detecting the number of players who participate in the game (e.g. 80 in Fig. 3; step S5 in Fig. 10; step S45 in Fig. 17; p. 24, lines 14-19; p. 33, lines 1-3);

partitioning the display area included in said display screen by the number of the

participating players, and forming said plurality of divided areas (e.g., 82 in Fig. 3; step

S11 in Fig. 10; step S53 in Fig. 17; p. 24, lines 14-19; p. 33, lines 7-13);

generating game images in each of said divided areas allotted to each player based

on an operation from said operating member (e.g., 88 in Fig. 3; step S13 in Fig. 10; step

S25 in Fig. 11; step S55 in Fig. 17; step S67 in Fig. 18; p. 24, lines 14-19; p. 33, lines 14-

22; p. 34, lines 13-20; p. 38, lines 17-22; p. 39, lines 14-20);

setting an evaluating value of each player based on how well each player is doing

in the game relative to the other players (e.g., 84 in Fig. 3; steps S17-S19 in Fig. 11; steps

S59-S61 in Fig. 18; p. 24, lines 14-19; p. 33, line 23 to p. 34, line 3; p. 38, line 23 to p.

39, line 3); and

changing a size of said divided areas allotted to each player based on said

evaluating value (e.g., 86 in Fig. 3; steps S21-S23 in Fig. 11; steps S63-65 in Fig. 18; p.

24, lines 14-19; p. 34, lines 4-12; p. 39, lines 4-13).

Claim 12. A computer readable storage medium (e.g., p. 12, line 14 to p. 13, line

13) that stores a game program (e.g., 134 in Fig 22) for changing a plurality of divided

areas on a common screen (e.g., 34 in Fig. 20) in a game system (e.g., 10 in Fig 20; Fig.

21) having a video game machine (e.g., 12 in Fig. 20) connected to a common display,

and a plurality of hand-held game machines (e.g., 108 in Figs. 20-21) including an

operating member operated by a player (e.g., 116; p. 44, line 17 to p. 45, line 6) and a

separate display (e.g., 114 in Figs. 20-21) connected to said video game system, wherein

1434527

a plurality of players participate and play the game on said common screen displayed on said common display and a separate screen displayed on said separate display (e.g., p. 12, line 14 to p. 13, line 13; p. 43, line 21 to p. 49, line 9),

said game program allows a computer of said hand-held game machine (e.g., 108 in Figs. 20-21) to execute the steps of:

transferring an operation from said operating member to said video game machine (e.g., 92 and 94 in Fig. 3; 144 and 146 in Fig. 22; steps S91, S95, and S97 in Fig. 24; steps S111, S113, and S117 in Fig. 125; p. 24, lines 12-19; p. 50, line 11 to p. 51, line 8); and

generating a separate game image to be displayed on said separate display based on the operation from said operating unit (e.g., 142 in Fig. 22; steps S107, S115, and S119 in Fig. 25; Fig. 23(A); p. 47, line 20 to p. 48, line 1; p. 51, lines 20-24; p. 52, lines 5-19); and

said game program allows a computer of said video game machine (e.g., 12 in Fig. 20) to execute the steps of:

receiving an operation from said hand-held game machine (e.g., p. 21, lines 4-7; p. 18, lines 20-23; p. 46, line 21 to p. 47, line 19);

detecting the number of the players who participate in the game (e.g. 80 in Fig. 3; step S5 in Fig. 10; step S45 in Fig. 17; p. 24, lines 14-19; p. 33, lines 1-3);

partitioning a display area included in said common screen in correspondence with the number of the participating players, and forming said plurality

of divided areas (e.g., 82 in Fig. 3; step S11 in Fig. 10; step S53 in Fig. 17; p. 24, lines 14-19; p. 33, lines 7-13);

generating game images in each of said divided areas allotted to each player based on an operation received by said operation receiving step (e.g., 88 in Fig. 3; step S13 in Fig. 10; step S25 in Fig. 11; step S55 in Fig. 17; step S67 in Fig. 18; step S93 in Fig. 24; p. 24, lines 14-19; p. 33, lines 14-22; p. 34, lines 13-20; p. 38, lines 17-22; p. 39, lines 14-20; p. 50, lines 14-24);

setting an evaluating value of each player based on how well each player is doing in the game relative to the other players (e.g., 84 in Fig. 3; steps S17-S19 in Fig. 11; steps S59-S61 in Fig. 18; p. 24, lines 14-19; p. 33, line 23 to p. 34, line 3; p. 38, line 23 to p. 39, line 3); and

changing a size of said divided areas allotted to each player based on said evaluating value (e.g., 86 in Fig. 3; steps S21-S23 in Fig. 11; steps S63-65 in Fig. 18; step S93 in Fig. 24; p. 24, lines 14-19; p. 34, lines 4-12; p. 39, lines 4-13l; p. 50, lines 14-24).

Claim 13. A computer-readable storage medium (e.g., Fig. 3) that stores an executable game program (e.g., 66 in Fig 3; p. 24, lines 7-11) for changing a plurality of divided areas on a display screen (e.g., Figs. 4-9) in a game apparatus (e.g., 12 in Figs. 1 and 2) for use with a display (e.g., 34 in Fig. 1), and in which a plurality of players participate in a game and operate an operating unit so as to play the game on said display screen displayed on said display (e.g., 22 and 26 in Fig. 1; p. 19-23), said game program

1434527

enabling a computer of said game apparatus to execute the steps of (e.g., p. 13, line 18 to

p. 14, line 10; p. 18, line 13 to p. 24, line 6):

detecting the number of players who participate in the game (e.g. 80 in Fig. 3; step

S5 in Fig. 10; step S45 in Fig. 17; p. 24, lines 14-19; p. 33, lines 1-3);

partitioning a display area included in said display screen by the number of the

participating players, forming said plurality of divided areas (e.g., 82 in Fig. 3; step S11

in Fig. 10; step S53 in Fig. 17; p. 24, lines 14-19; p. 33, lines 7-13);

generating game images in each of said divided areas allotted to each player based

on an operation from said operating unit (e.g., 88 in Fig. 3; step S13 in Fig. 10; step S25

in Fig. 11; step S55 in Fig. 17; step S67 in Fig. 18; p. 24, lines 14-19; p. 33, lines 14-22;

p. 34, lines 13-20; p. 38, lines 17-22; p. 39, lines 14-20);

determining whether or not there is a player who ends the game out of the

participating players (e.g., 90 in Fig. 3; step S73 in Fig. 18; p. 5, line 17 to p. 6, line 3; p.

24, lines 12-19; p. 40, lines 3-7, p. 41, lines 3-8); and

re-partitioning said display area by the number of the remaining players when

determined by said determining step that there is a player who ends the game, and

allotting the re-divided areas to the remaining players in accordance with how the

remaining players are performing in the game relative to one another (e.g., steps S75-S77

in Fig. 18; p. 5, line 17 to p. 6, line 3; p. 40, line 3 to p. 41, line 2).

Claim 14. A computer-readable storage medium (e.g., p. 13, line 18 to p. 14, line

10) that stores an executable game program (e.g., 134 in Fig 22) for changing a plurality

1434527

of divided areas on a common screen (e.g., 34 in Fig. 20) in a game system (e.g., 10 in

Fig 20; Fig. 21) having a video game machine (e.g., 12 in Fig. 20) connected to a

common display, and a plurality of hand-held game machines (e.g., 108 in Figs. 20-21)

including an operating unit operated by a player (e.g., 116; p. 44, line 17 to p. 45, line 6)

and a separate display (e.g., 114 in Figs. 20-21) connected to the video game machine,

wherein a plurality of players participate and play the game on said common screen

displayed on said common display and a separate screen displayed on said separate

display (e.g., p. 13, line 18 to p. 14, line 10; p. 43, line 21 to p. 49, line 9),

said game program enabling a computer of said game apparatus (e.g., 108 in Figs.

20-21) to execute the steps of:

transferring an operation from said operating unit to said video game

machine (e.g., 92 and 94 in Fig. 3; 144 and 146 in Fig. 22; steps S91, S95, and S97 in

Fig. 24; steps S111, S113, and S117 in Fig. 125; p. 24, lines 12-19; p. 50, line 11 to p. 51,

line 8); and

generating a separate game image to be displayed on said separate display

based on the operation from said operating unit (e.g., 142 in Fig. 22; steps S107, S115,

and S119 in Fig. 25; Fig. 23(A); p. 47, line 20 to p. 48, line 1; p. 51, lines 20-24; p. 52,

lines 5-19); and

said game program enables a computer of said video game machine (e.g., 12 in

Fig. 20) to execute the steps of:

receiving an operation from said hand-held game machine (e.g., p. 21, lines

4-7; p. 18, lines 20-23; p. 46, line 21 to p. 47, line 19);

detecting the number of players who participate in the game (e.g. 80 in Fig. 3; step S5 in Fig. 10; step S45 in Fig. 17; p. 24, lines 14-19; p. 33, lines 1-3);

partitioning a display area included in said common screen in correspondence with the number of the participating players, and forming said plurality of divided areas (e.g., 82 in Fig. 3; step S11 in Fig. 10; step S53 in Fig. 17; p. 24, lines 14-19; p. 33, lines 7-13);

generating game images in each of said divided areas allotted to each player based on an operation received by said operation receiving step (e.g., 88 in Fig. 3; step S13 in Fig. 10; step S25 in Fig. 11; step S55 in Fig. 17; step S67 in Fig. 18; step S93 in Fig. 24; p. 24, lines 14-19; p. 33, lines 14-22; p. 34, lines 13-20; p. 38, lines 17-22; p. 39, lines 14-20; p. 50, lines 14-24);

determining whether or not there is the player who ends the game out of the participating players (e.g., 90 in Fig. 3; step S73 in Fig. 18; p. 5, line 17 to p. 6, line 3; p. 24, lines 12-19; p. 40, lines 3-7, p. 41, lines 3-8); and

re-partitioning said display area by the number of the remaining players when determined by said determining step that there is a player who ends the game, and allotting the re-divided areas to the remaining players in accordance with how the remaining players are performing in the game relative to one another (e.g., steps S75-S77 in Fig. 18; p. 5, line 17 to p. 6, line 3; p. 40, line 3 to p. 41, line 2).

Claim 15. A method of representing relative game progress in a competitive game (e.g., 66 in Fig 3; p. 24, lines 7-11) displayed on at least one display screen (e.g., 22 and 26 in Fig. 1; p. 19-23), comprising (e.g., p. 18, line 13 to p. 24, line 6):

partitioning the display screen area into plural partitions (e.g., 82 in Fig. 3; step S11 in Fig. 10; step S53 in Fig. 17; p. 24, lines 14-19; p. 33, lines 7-13);

assigning each partition to a different player in one-to-one correspondence so that each player is assigned exactly one partition (e.g., 88 in Fig. 3; step S13 in Fig. 10; step S25 in Fig. 11; step S55 in Fig. 17; step S67 in Fig. 18; p. 24, lines 14-19; p. 33, lines 14-22; p. 34, lines 13-20; p. 38, lines 17-22; p. 39, lines 14-20);

determining, as the game progresses, how each player is performing relative to the other players, based on game factors other than the size of a player's partition (e.g., 84 in Fig. 3; steps S17-S19 in Fig. 11; steps S59-S61 in Fig. 18; p. 24, lines 14-19; p. 33, line 23 to p. 34, line 3; p. 38, line 23 to p. 39, line 3); and

dynamically changing the relative sizes of the display screen partitions, based on how each player is performing in the game as determined by the determining, such that the players are given a visual indication of their relative performance within the game through the size of the display screen area allocated to them, such that a first player who is beating a second player in the game is allocated a larger display screen partition than the second player (e.g., 86 in Fig. 3; steps S21-S23 in Fig. 11; steps S63-65 in Fig. 18; p. 24, lines 14-19; p. 34, lines 4-12; p. 39, lines 4-13).

1434527

(VI) GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

First, whether claims 1-2, 4-5, 7-8, 11-12, and 15 are rendered "obvious" by Oakes et al. (U.S. Publication No. 2003/0181241) in view of Suzuki (U.S. Patent No. 5,356,156) under 35 U.S.C. § 103(a).

Second, whether claims 3 is rendered "obvious" by Oakes and Suzuki, in further view of Kaneko et al. (U.S. Patent No. 5,879,235) under 35 U.S.C. § 103(a).

Third, whether claims 6, 9-10, and 13-14 are rendered "obvious" by Oakes and Suzuki, in further view of Sciammarella et al. (U.S. Patent No. 6,808,633) under 35 U.S.C. § 103(a).

<center>(VII) <u>ARGUMENT</u></center>

<u>Claims 1-2, 4-5, 7-8, 11-12, and 15 Are Not "Obvious" Over Oakes and Suzuki.</u>

Claims 1-2, 4-5, 7, 11-12, and 15 stand rejected under 35 U.S.C. § 103(a) as

allegedly being unpatentable over Oakes et al. (U.S. Publication No. 2003/0181241) in

view of Suzuki (U.S. Patent No. 5,356,156). This rejection is should be reversed for at

least the following reasons.

The Final Office Action admits that Oakes does disclose the evaluating value

setting programming logic circuitry and the size changing programmed logic circuitry

recitations of claim 1, and introduces Suzuki to make up for these admitted deficiencies

with respect to Oakes. However, as explained in greater detail below, Oakes and Suzuki,

alone and in combination, fail to teach or suggest at least these features of claim 1. Thus,

Oakes and Suzuki, alone and in combination, fail to render obvious claim 1 (and its

dependents).

The Final Office Action asserts that the above-noted features of claim 1 are to be

found somewhere in Suzuki. Suzuki discloses three embodiments, as summarized in col.

7, lines 23-49 thereof. However, as shown below, <u>none</u> of these three embodiments

teaches or suggests "evaluating value setting programmed logic circuitry for setting an

evaluating value of each player based on how well each player is doing in the game

relative to the other players" or "size changing programmed logic circuitry for changing a

size of said divided areas allotted to each player based on said evaluating value," as

<center>- 24 -</center>

recited in claim 1. Thus, even the alleged combination of Oakes and Suzuki fails to

teaches or suggests the above-noted features of claim 1.

In Suzuki's first embodiment, plural frames of background pictures across which

characters can move are displayed on a single screen. If the distance between the

characters is increased, the background images may also change. As Suzuki makes clear,

changing plural background images in this way helps players grasp the distance between

characters, since the positional relation between the characters is more accurately

displayed. Accordingly, this first embodiment of Suzuki appears to suggest changing the

size of background images on a screen in dependence on the positional relation of the

characters. However, it does not teach or suggest changing a size of a divided area of the

screen in dependence on how well each player is doing in the game relative to the other

players. Thus, there is nothing to be gleaned from this first embodiment of Suzuki that

relates in any way to the evaluating value setting programmed logic circuitry or size

changing programmed logic circuitry of claim 1.

In Suzuki's second embodiment, the tilt of the boundary line between the frames

of background pictures on which characters appear may be modified in dependence on

the heights or vertical positions of the characters. As Suzuki makes clear, changing

plural background images in this way helps show players when characters are in the air or

on the ground. Accordingly, this second embodiment of Suzuki appears to suggest

changing the tilt of the dividing line between background image frames on a screen in

dependence on the vertical positions of the characters. But whether a character is in the

air or on the ground has nothing to do with relative advantages of one character over

1434527

another. Thus, the second embodiment of Suzuki does <u>not</u> teach or suggest changing a size of a divided area of the screen in dependence on how well each player is doing in the game relative to the other players. Again, there is nothing to be gleaned from this second embodiment of Suzuki that relates in any way to the evaluating value setting programmed logic circuitry or size changing programmed logic circuitry of claim 1.

The third and final embodiment of Suzuki appears to be the only embodiment even remotely related to the claimed invention. According to the Final Office Action, the recitation of "how well each player is doing in the game relative to the other players" is a measure of relative advantage of one player over another. Applicant does not necessarily disagree with this interpretation. The Final Office Action goes on to state that "[b]ecause successful attack maneuvers create a scoring and life meter advantage for the offensive player, the offensive player may be said to be 'doing better than' the attacked, or defensive, player." This position is not entirely unreasonable -- although Applicant respectfully points out that it is completely unsupported by the teachings and suggestions of Suzuki. Applicant also respectfully points out that an equally reasonable position that directly contradicts the apparent "wisdom" of maintaining that "the best defense is a good offense" is the adage that "defense wins championships" as repeated time and time again.

In any event, what Applicant does disagree with is the Final Office Action's contention that the third embodiment of Suzuki "discloses evaluating a player to determine if the player is an offensive, i.e. superior, situation or defensive, i.e. inferior, situation relative to the other player. . . ." The Final Office Action cites to col. 6, lines 45-56 for this purported teaching of Suzuki. However, when read in context with the

- 26 -

following four paragraphs, it becomes clear that this portion of Suzuki does not support the Final Office Action's argument. In fact, the third embodiment of Suzuki actually teaches changing the size of the background picture based on the location of moving object D -- which has absolutely nothing to do with whether the player currently is attacking or defending. Indeed, as shown in Fig. 8 and explained in its accompanying text, even though character A is on offense and character B is on defense, the background image b will be increased in size once the moving object D exits background image a, which will then be decreased in size. According to Suzuki, this choice to resize the background picture based on the location of the moving object D allows the match to be "represented with greater reality, thus increasing the fun" (col. 7, lines 21-22) and depicts "the tense atmosphere produced on offense and defense" (col. 7, lines 47-49). Thus, even if the Final Office Action's interpretation of an attacking player having an advantage over a defending player were correct, Suzuki still would not meet this limitation.

Thus, in the third embodiment of Suzuki, any resizing is based on the position of a moving object D (see, e.g., Fig. 7), and not based on whether a particular player character is attacking or defending -- much less based on how well each player is doing in the game relative to the other players. As shown above, this third embodiment of Suzuki does not relate to the evaluating value setting programmed logic circuitry or size changing programmed logic circuitry of claim 1. Instead, it actually teaches directly away from these features by presenting a system that is based on objects that, once initiated, move irrespective of what a player is doing -- much less how well each player is doing in the game relative to the other players.

In view of the above, Applicant respectfully submits that none of the embodiments presented in Suzuki make up for the fundamental deficiencies of Oakes. Even the alleged combination is deficient in this regard, as none of the applied references, alone or in combination, teach or suggest the evaluating value setting programmed logic circuitry or size changing programmed logic circuitry of claim 1. Thus, Applicant respectfully requests that the Section 103 rejection of claim 1 and its dependents be reversed.

Claims 7 and 11-12 include similar recitations to those noted above with respect to claim 1. For example, claim 7 recites, *inter alia*, "an evaluating value setter for setting an evaluating value of each player based on how well each player is doing in the game relative to the other players" and "size changing programmed logic circuitry for changing a size of said divided areas allotted to each player based on said evaluating value set by said evaluating value setter." Claim 11 recites, *inter alia*, "setting an evaluating value of each player based on how well each player is doing in the game relative to the other players" and "changing a size of said divided areas allotted to each player based on said evaluating value." Claim 12 recites, *inter alia*, "setting an evaluating value of each player based on how well each player is doing in the game relative to the other players" and "changing a size of said divided areas allotted to each player based on said evaluating value." This alleged combination of Oakes and Suzuki fails to teach or suggest claims 7 and 11-12, and thus fails to render obvious claims 7 (and its dependents) and 11-12. Thus, Applicant requests that the Section 103 rejection of claims 7 (and its dependents) and 11-12 be reversed.

1434527

Claim 15:

Independent claim 15 recites, *inter alia*, "determining, as the game progresses,

how each player is performing relative to the other players, based on game factors other

than the size of a player's partition" and "dynamically changing the relative sizes of the

display screen partitions, based on how each player is performing in the game as

determined by the determining, such that the players are given a visual indication of their

relative performance within the game through the size of the display screen area allocated

to them, *such that a first player who is beating a second player in the game is allocated a

larger display screen partition than the second player* (emphasis added)." For reasons

similar to those set forth above, Applicant respectfully submits that the alleged

combination of Oakes and Suzuki fails to teach or suggest these at least these features of

claim 15. In contrast to the above limitation of claim 15, Suzuki discloses "When a

flying object has reached the background for the *attacked* character, this background

picture is enlarged." Col. 7, lines 18-21. Thus, the alleged combination of Oakes and

Suzuki fails to render obvious claim 15. Thus, Applicant requests that the Section 103

rejection of claim 15 be reversed.

As a final note, the Advisory Action states that "each of the features of

Applicant's invention as presented in the claims are [sic] obvious of the prior art." This

statement in the Advisory Action constitutes legal error, at least in view of the

requirements of Section 103 as explained in MPEP 2141.02(I) and the related case law.

Specifically, in determining the differences between the prior art and the claims, the

question under Section 103 is not whether the differences themselves would have been

1434527

obvious, but whether the claimed invention <u>as a whole</u> would have been obvious.

Stratoflex, Inc. v. Aeroquip Corp., 713 F.2d 1530, 218 USPQ 871 (Fed. Cir. 1983);

Schenck v. Nortron Corp., 713 F.2d 782, 218 USPQ 698 (Fed. Cir. 1983). In view of this

improper form of examination -- together with the failure to establish a prima facie case

of obviousness -- Applicant respectfully requests that <u>all</u> of the outstanding Section 103

rejections be reversed.

Claim 3 Is Not "Obvious" Over Oakes and Suzuki in view of Kaneko.

Claim 3 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable

over Oakes and Suzuki, in further view of Kaneko et al. (U.S. Patent No. 5,879,235).

However, the introduction of Kaneko does not make up for the fundamental deficiencies

of the Oakes/Suzuki combination. Thus, even if the introduction of Kaneko were

appropriate (which Applicant in any event does not admit), the alleged combination

thereof still would fail to render claim 3 obvious at least because it would fail to teach or

suggest each and every feature of claim 3. Furthermore, Applicant is at a loss to

determine how the modified roulette table of Kaneko is at all "analogous" to video games

-- especially a competitive style video game having a split screen. Thus, Applicant

respectfully requests that this Section 103 rejection be reversed.

Claims 6, 9-10, and 13-14 Are Not "Obvious" Over Oakes and Suzuki in view of Sciammarella.

1434527

Claim 6, 9-10, and 13-14 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Oakes and Suzuki, in further view of Sciammarella et al. (U.S. Patent No. 6,608,633). This rejection should be reversed for at least the following reasons.

Claim 6 should be allowable based at least on its dependency from allowable claim 1, as Sciammarella does not make up the above-noted deficiencies of Oakes/Suzuki with respect to claim 1.

Independent claims 9-10 and 13-14 each recite "determining whether or not there is a player who ends the game out of the participating players" and "re-partitioning said display area by the number of the remaining players when determined by said determining step that there is a player who ends the game, and allotting the re-partitioned areas to the remaining players in accordance with how the remaining players are performing in the game relative to one another," or variations thereof. The Examiner admits that the Oakes/Suzuki combination does not disclose determining whether or not there is a player who ends the game out of the participating players, wherein the screen is re-partitioned by the number of players, and the sizes of the new areas are determined based on relative evaluations of remaining players, and introduces Sciammarella to make up for these numerous deficiencies with respect to the Oakes/Suzuki combination. However, the alleged combination still does not render obvious claims 9-10 and 13-14.

Sciammarella relates to "a method and structure for the display of categorical information on a display screen, utilizing scale and location to express the degree of importance of a particular category over other categories of categorical information with

1434527

respect to a selected measurement value." According to the Final Office Action, "[t]his feature is analogous to display areas of differing sizes displaying game characters in accordance with some evaluated status of each character, as relative superiority or inferiority of a character's situation may be equated with the relative 'importance' of each character." But regardless of whether one entertainment channel or program in Sciammarella is performing "better" than another, Sciammarella clearly does not teach or suggest adjusting the size of a display based on players doing better or worse than one another in a game. The "importance" of one channel or program compared to another simply is not analogous to the "performance" of one player in a game compared to another playing the same game.

Moreover, inasmuch as there are no players in Sciammarella at all, it thus also fails to teach or suggest the end determining programmed logic circuitry and re-partitioning programmed logic circuitry recited in claim 9, or the corresponding features of claims 10 and 13-14. A program or channel in Sciammarella cannot be "ended" in the same way that a player's participation in a video game can be "ended" (e.g., by having a character killed, having the apparatus restarted or powered off, etc.).

In a nutshell, although the Final Office Action attempts to make up for admitted deficiencies in the Oakes/Suzuki combination, it does so by relying on a reference completely unrelated to the other references -- and the claimed invention. Sciammarella fails to teach or suggest numerous features of claims 9-10 and 13-14 and thus fails to make up for the admitted deficiencies in the Oakes/Suzuki combination. Even if one of ordinary skill in the art at the time of the invention would have combined these three very
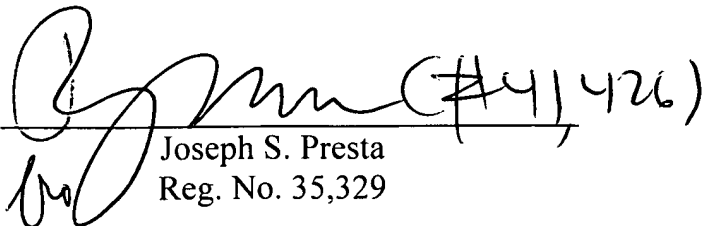
- 32 -

different references -- which Applicant believes would be not have happened, since Sciammarella and Oakes/Suzuki belong to non-analogous fields of endeavor, are concerned with different problems, and resolve their respective problems in very different ways -- the resulting three-way Oakes/Suzuki/Sciammarella combination still would be deficient for failing to teach or suggest each and every feature of claims 9-10 and 13-14. Thus, Applicant respectfully requests that the Section 103 rejection of claims 9-10 and 13-14 be reversed.

CONCLUSION

In conclusion it is believed that the application is in clear condition for allowance; therefore, early reversal of the Final Rejection and passage of the subject application to issue are earnestly solicited.

Respectfully submitted,

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1434527

(VIII)   CLAIMS APPENDIX

1. A game apparatus used in association with a display, wherein a plurality of players participate and play a game on a display screen displayed on said display, said game apparatus comprising:

one or more game program storage areas for storing a game program;

an operating member operated by the player;

number-of-players detection programmed logic circuitry for detecting the number of players who participate in the game;

screen partitioning programmed logic circuitry for partitioning a display area included in said display screen by the number of the participating players, and forming a plurality of divided areas;

game image generating programmed logic circuitry for generating game images in each of said divided areas allotted to each player based on said game program and an operation from said operating member;

evaluating value setting programmed logic circuitry for setting an evaluating value of each player based on how well each player is doing in the game relative to the other players; and

size changing programmed logic circuitry for changing a size of said divided areas allotted to each player based on said evaluating value.

2. A game apparatus according to claim 1, wherein

1434527

said screen partitioning programmed logic circuitry equally divides an area of said

display area by said number of the participating players, wherein

said size changing programmed logic circuitry changes the area of said divided

areas of each player.

3. A game apparatus according to claim 1, further comprising

display area rendering programmed logic circuitry for rendering a circular display

area within said display screen; wherein

said screen partitioning programmed logic circuitry equally divides said circular

display area rendered by said display area rendering programmed logic circuitry by said

number of the participating players in such a manner that each divided area is rendered

by an angle that passes the center thereof,

said size changing programmed logic circuitry changes a center angle of said

divided areas of each player.

4. A game apparatus according to claim 1, wherein

said game image generating programmed logic circuitry generates a changed game

image according to a size change of said divided areas by said size changing programmed

logic circuitry.

5. A game apparatus according to claim 4, wherein

1434527

said game image generating programmed logic circuitry generates the game image in such a manner as to change a visual range.

6. A game apparatus according to claim 1, further comprising

end determining programmed logic circuitry for determining whether or not there is a player who ends the game out of the participating players; wherein

said size changing programmed logic circuitry re-divides said display area by the number of the remaining players when determined by said end determining programmed logic circuitry that there is the player who ends the game, and determines a size of re-divided areas based on the evaluating value of the remaining players.

7. A game system in which a plurality of players participate and play a game, and having a video game machine connected to a common display and a plurality of hand-held game machines including a separate display connected to said video game machine, said game system comprising:

an exchanging portion for exchanging data between said video game machine and said hand-held game machine; and

an evaluating value setter for setting an evaluating value of each player based on how well each player is doing in the game relative to the other players; wherein

said hand-held game machine, includes:

at least one first game-program storage area for storing a program for a player's own hand-held game;

1434527

an operating member operated by the player;

first game-image generating programmed logic circuitry for generating a separate game image to be displayed on said separate display based on said program for a player's own hand-held game or an operation from said operating unit; and

said video game machine, includes:

at least one second game-program storage area for storing an operating program for the video game machine and a program for an interlocking game;

number-of-players detecting programmed logic circuity for detecting the number of players who participate in the game;

screen partitioning programmed logic circuitry for partitioning a display area included in a common screen to be displayed on said common display in correspondence with the number of the participating players, and forming a plurality of divided areas;

second game-image generating programmed logic circuitry for generating game images in each of said divided areas allotted to each player based on the program stored in said second game-program storage area or an operation from said operating member received by said exchanging portion; and

size changing programmed logic circuitry for changing a size of said divided areas allotted to each player based on said evaluating value set by said evaluating value setter.

8. A game system according to claim 7, wherein

said evaluating value setter comprises evaluating value setting programmed logic circuitry and is provided in said video game machine,

said first game-image generating programmed logic circuitry re-generates said separate game images based on the evaluating value of the player received from said video game machine by said exchanging portion.

9. A game apparatus for use with a display, and in which a plurality of players participate and play a game on a display screen displayed on said display, said game apparatus comprising:

at least a first game program storage for storing a game program;

an operating member operated by the player;

number-of-players detecting programmed logic circuitry for detecting the number of players who participate in the game;

screen partitioning programmed logic circuitry for partitioning a display area included in said display screen by the number of the participating players, and forming a plurality of divided areas;

game image generating programmed logic circuitry for generating game images in each of said divided areas allotted to each player based on said game program and an operation from said operating member;

end determining programmed logic circuitry for determining whether or not there is a player who ends the game out of the participating players; and

1434527

re-partitioning programmed logic circuitry for re-partitioning said display area by

the number of the remaining players when determined by said end determining

programmed logic circuitry that there is the player who ends the game, and allotting the

re-divided areas to the remaining players in accordance with how the remaining players

are performing in the game relative to one another.

10. A game system in which a plurality of players participate and play a game,

and having a video game machine connected to a common display and a plurality of

hand-held game machines including a separate display connected to said video game

machine, said game machine comprising:

exchanging programmed logic circuitry for exchanging data between said video

game machine and said hand-held game machine; wherein

said hand-held game machine, includes:

at least a first game-program storage area for storing a program for a

player's own hand-held game;

an operating member operated by the player;

first game-image generating programmed logic circuitry for generating a

separate game image to be displayed on said separate display based on said program for a

player's own hand-held game or an operation from said operating member; and

said video game machine, includes:

at least a second game-program storage area for storing an operating

program for the video game machine and a program for an interlocking game;

1434527

number-of-players detecting programmed logic circuitry for detecting the number of players who participate in the game;

screen partitioning programmed logic circuitry for partitioning the display area included in a common screen to be displayed on said common display in correspondence with the number of the participating players, and forming a plurality of divided areas;

second game-image generating programmed logic circuitry for generating game images in each of said divided areas allotted to each player based on the program stored in said second game-program storage area or an operation from said operating member received by said exchanging portion;

end determining programmed logic circuitry for determining whether or not there is a player who ends the game out of the participating players; and

re-partitioning programmed logic circuitry for re-partitioning said display area by the number of the remaining players when determined by said determining portion that there is the player who ends the game, and allotting the re-divided areas to the remaining players in accordance with how the remaining players are performing in the game relative to one another.

11. A computer readable storage medium that stores an executable game program for changing a plurality of divided areas on a display screen in a game apparatus that is provided to be associated with said display, and a plurality of players participate in a game and operate an operating member so as to play the game on said display screen

1434527

displayed on said display, said game program allows a computer of said game apparatus

to execute the steps of:

detecting the number of players who participate in the game;

partitioning the display area included in said display screen by the number of the

participating players, and forming said plurality of divided areas;

generating game images in each of said divided areas allotted to each player based

on an operation from said operating member;

setting an evaluating value of each player based on how well each player is doing

in the game relative to the other players; and

changing a size of said divided areas allotted to each player based on said

evaluating value.

12. A computer readable storage medium that stores a game program for changing

a plurality of divided areas on a common screen in a game system having a video game

machine connected to a common display, and a plurality of hand-held game machines

including an operating member operated by a player and a separate display connected to

said video game system, wherein a plurality of players participate and play the game on

said common screen displayed on said common display and a separate screen displayed

on said separate display,

said game program allows a computer of said hand-held game machine to execute

the steps of:

transferring an operation from said operating member to said video game

machine; and

generating a separate game image to be displayed on said separate display

based on the operation from said operating unit; and

said game program allows a computer of said video game machine to execute the

steps of:

receiving an operation from said hand-held game machine;

detecting the number of the players who participate in the game;

partitioning a display area included in said common screen in

correspondence with the number of the participating players, and forming said plurality

of divided areas;

generating game images in each of said divided areas allotted to each player

based on an operation received by said operation receiving step;

setting an evaluating value of each player based on how well each player is

doing in the game relative to the other players; and

changing a size of said divided areas allotted to each player based on said

evaluating value.

13. A computer-readable storage medium that stores an executable game program

for changing a plurality of divided areas on a display screen in a game apparatus for use

with a display, and in which a plurality of players participate in a game and operate an

operating unit so as to play the game on said display screen displayed on said display, said game program enabling a computer of said game apparatus to execute the steps of:

detecting the number of players who participate in the game;

partitioning a display area included in said display screen by the number of the participating players, forming said plurality of divided areas;

generating game images in each of said divided areas allotted to each player based on an operation from said operating unit;

determining whether or not there is a player who ends the game out of the participating players; and

re-partitioning said display area by the number of the remaining players when determined by said determining step that there is a player who ends the game, and allotting the re-divided areas to the remaining players in accordance with how the remaining players are performing in the game relative to one another.

14. A computer-readable storage medium that stores an executable game program for changing a plurality of divided areas on a common screen in a game system having a video game machine connected to a common display, and a plurality of hand-held game machines including an operating unit operated by a player and a separate display connected to the video game machine, wherein a plurality of players participate and play the game on said common screen displayed on said common display and a separate screen displayed on said separate display,

1434527

said game program enabling a computer of said game apparatus to execute the steps of:

transferring an operation from said operating unit to said video game machine; and

generating a separate game image to be displayed on said separate display based on the operation from said operating unit; and

said game program enables a computer of said video game machine to execute the steps of:

receiving an operation from said hand-held game machine;

detecting the number of players who participate in the game;

partitioning a display area included in said common screen in correspondence with the number of the participating players, and forming said plurality of divided areas;

generating game images in each of said divided areas allotted to each player based on an operation received by said operation receiving step;

determining whether or not there is the player who ends the game out of the participating players; and

re-partitioning said display area by the number of the remaining players when determined by said determining step that there is a player who ends the game, and allotting the re-divided areas to the remaining players in accordance with how the remaining players are performing in the game relative to one another.

15. A method of representing relative game progress in a competitive game displayed on at least one display screen, comprising:

partitioning the display screen area into plural partitions;

assigning each partition to a different player in one-to-one correspondence so that each player is assigned exactly one partition;

determining, as the game progresses, how each player is performing relative to the other players, based on game factors other than the size of a player's partition; and

dynamically changing the relative sizes of the display screen partitions, based on how each player is performing in the game as determined by the determining, such that the players are given a visual indication of their relative performance within the game through the size of the display screen area allocated to them, such that a first player who is beating a second player in the game is allocated a larger display screen partition than the second player.

(IX) EVIDENCE APPENDIX

None.

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(X) **RELATED PROCEEDINGS APPENDIX**

None.

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